

REMARKS

Claims 1, 3-7 and 10-13 are pending in the application. The Examiner has indicated that claim 4 is in condition for allowance and claim 13 would be allowed if rewritten in independent form.

Claim Rejection - 35 U.S.C. § 112, First Paragraph

Claims 1, 3, 5, 6, 10, and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Specifically, the Examiner has rejected these claims because claim 1 recites "wherein the ratio of a wall thickness of the thread forming region of the preform to the wall thickness of the threaded neck portion is about 4.09 - 5.59." The Examiner notes that the only ratio disclosed in the specification is about 4.711.

In response, Applicants submit the present amendment to claim 1 obviates this rejection.

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In this rejection, the Examiner contends claim 7 recites that the upper surface of the thread extends "upwardly" at an angle of about 150° and the lower surface extends "downwardly" at an angle of about 100°. However, according to the specification and the figures, the upper surface of the thread extends downwardly, and the lower surface extends upwardly. See. Fig. 5 and paragraph [0026].

Applicants submit the present amendment to claim 7 obviates this rejection.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kerins et al. (US Patent 4,665,682).

Kerins et al. teaches a method of blow molding a preform (26) to form an intermediate article (50), and then separating an adaptor portion (64) from the intermediate article to result in a container (52), where the average wall thickness of the preform (26) is 0.180 inches (column 8, line 64-column 9, line 1).

The Examiner contends that this encompasses the claimed limitation of a wall thickness of 0.1555-0.1790, because an average thickness of 0.180 necessarily means that some of the thicknesses are less than 0.180. Similarly, 0.180 inches is remarkably close to 0.179 inches and it would have been obvious to a person of ordinary skill in the art to use the method taught by Kerins et al. to form a preform with a threaded finish of 0.179 inches.

In response, Applicants have incorporated the allowable material of claim 4 into claim 12 by this Amendment. Applicants submit Kerins fails to disclose this feature.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



David P. Emery
Registration No. 55,154

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: May 12, 2008